

University of Montana
ScholarWorks at University of Montana

Max S. Baucus Speeches

Archives and Special Collections

10-21-1980

Symposium on Federal Preemption of State Energy Policies

Max S. Baucus

Let us know how access to this document benefits you.

Follow this and additional works at: https://scholarworks.umt.edu/baucus_speeches

Recommended Citation

Baucus, Max S., "Symposium on Federal Preemption of State Energy Policies" (October 21, 1980). *Max S. Baucus Speeches*. 151.
https://scholarworks.umt.edu/baucus_speeches/151

This Speech is brought to you for free and open access by the Archives and Special Collections at ScholarWorks at University of Montana. It has been accepted for inclusion in Max S. Baucus Speeches by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.

Printing, Graphics & Direct Mail
ONBASE SYSTEM
Indexing Form

Senator * or Department*: **BAUCUS**

Instructions:

Prepare one form for insertion at the beginning of each record series.

Prepare and insert additional forms at points that you want to index.

For example: at the beginning of a new folder, briefing book, topic, project, or date sequence.

Record Type*: **Speeches & Remarks**

MONTH/YEAR of Records*: **October-1980**

(Example: JANUARY-2003)

(1) Subject*: **Energy**

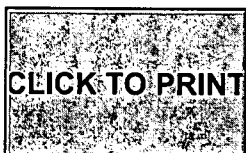
(select subject from controlled vocabulary, if your office has one)

(2) Subject* **Symposium Federal Preemption of State Energy Policies**

DOCUMENT DATE*: **10/21/1980**

(Example: 01/12/1966)

* "required information"



BAUCUS

OPENING STATEMENT

BY

SENATOR MAX BAUCUS

SYMPOSIUM ON FEDERAL PREEMPTION OF STATE ENERGY POLICIES

UNIVERSITY OF MONTANA LAW SCHOOL

MISSOULA, MONTANA

OCTOBER 21, 1980

I WOULD LIKE TO WELCOME YOU ALL TO THIS SYMPOSIUM ON FEDERAL AND STATE RELATIONS. AT THE OUTSET, I WANT TO THANK DEAN MUDD FOR CO-HOSTING THIS SYMPOSIUM AND FOR MAKING THE LAW SCHOOL AVAILABLE TO ALL OF US.

SECONDLY, I WOULD LIKE TO THANK PHIL BURGESS AND THE WESTERN GOVERNORS' POLICY OFFICE FOR ALSO CO-HOSTING THIS SYMPOSIUM.

AS A WESTERN STATE SENATOR, I WAS PARTICULARLY CONCERNED DURING THE 96TH CONGRESS ABOUT THE TREND OF INSENSITIVITY IN BOTH THE HOUSE AND SENATE TO THE LEGITIMATE ROLE OF THE STATES IN OUR FEDERAL SYSTEM.

THIS WAS EVIDENT DURING THE CONSIDERATION OF THE BILL THAT WOULD LIMIT THE ABILITY OF STATES TO IMPOSE A SEVERANCE TAX AND IT WAS ALSO EVIDENT DURING THE CONSIDERATION OF THE PROPOSAL TO CREATE AN ENERGY MOBILIZATION BOARD.

I WAS CONCERNED IN THE CONTEXT OF BOTH THOSE DEBATES THAT THE CONGRESS WAS SOLELY CONCERNED WITH ENERGY DEVELOPMENT AND OBLIVIOUS TO THE IMPACT OF THOSE ISSUES ON FEDERAL-STATE RELATIONS.

I WAS FURTHER CONCERNED THAT EVEN THE WESTERN STATES WERE NOT ADEQUATELY ORGANIZING IN OPPOSITION TO THESE PROPOSALS.

I WAS CONVINCED THAT THOSE OF US WHO WERE CONCERNED WERE NOT GETTING THE KIND OF SUPPORT FROM THE LEGAL COMMUNITY THAT WE SHOULD GET TO HELP BOLSTER OUR ARGUMENTS.

FINALLY, I REALIZED THAT SO MANY OF THE ISSUES I WAS ADDRESSING RELATED TO THE ISSUE OF FEDERAL PREEMPTION. I, THEREFORE, BELIEVE THAT IT IS PARTICULARLY APPROPRIATE THAT THOSE OF US WHO ARE CONCERNED ABOUT SEVERANCE TAXES, THOSE OF US WHO ARE CONCERNED ABOUT THE ENERGY MOBILIZATION BOARD, AND THOSE OF US WHO ARE CONCERNED ABOUT WATER RIGHTS, ARE ALL HERE TOGETHER TO TALK ABOUT THE PROBLEM OF FEDERAL PREEMPTION OF STATES' RIGHTS.

I BELIEVE THAT BY DISCUSSING ALL OF THESE AREAS TOGETHER, WE CAN FIND COMMON THEMES AND COMMON SOLUTIONS.

I'M PARTICULARLY APPRECIATIVE TO JONATHAN LASH, MIKE McGRATH, AND HENRY LOBLE FOR AGREEING TO MODERATE THE THREE PANELS TODAY. I VERY MUCH LOOK FORWARD TO THOSE DISCUSSIONS.

I ALSO BELIEVE STRONGLY THAT THIS IS AN OPPORTUNITY NOT ONLY FOR US TO SUBSTANTIVELY DISCUSS THESE ISSUES, BUT ALSO TO GET TO KNOW EACH OTHER. I HOPE THAT THE COFFEE BREAKS AND THE LUNCH PERIOD WILL SERVE AS AN OPPORTUNITY FOR ALL OF US TO GET TO KNOW ONE ANOTHER BETTER.

I HOPE AS WE GO THROUGH THE DAY ALL OF US WILL BE GIVING SOME THOUGHT TO THE KINDS OF ACTIVITIES THAT WE OUGHT TO CONTEMPLATE IN THE FUTURE. WE OUGHT TO BE USING THIS OPPORTUNITY TO DETERMINE THE WAYS IN WHICH SOME OF US CAN INTERACT AND SUPPORT EACH OTHER DOWN THE ROAD.

PERHAPS WE CAN REACH OUT TO OTHER REGIONS THAT ARE FACING SIMILAR PROBLEMS.

I LOOK FORWARD TO OUR CLOSING DISCUSSION AT THE END OF THE DAY WHEN WE CAN TRY TO PUT ALL THREE OF OUR SUBSTANTIVE DISCUSSIONS TOGETHER AND TO TALK ABOUT HOW WE CAN CONTINUE THIS KIND OF CONSTRUCTIVE DISCUSSION IN THE FUTURE.

I'M VERY EXCITED TO BE HERE AND AM LOOKING FORWARD TO A STIMULATING DAY AND I THANK YOU ALL VERY MUCH FOR MAKING THE EFFORT TO JOIN US AND TO PARTICIPATE IN THIS SYMPOSIUM.

THANK YOU VERY MUCH.